

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DAVID SUSSMAN a/k/a MARK SUSSMAN, M.D.,
on behalf of himself and all others similarly situated,

Plaintiff,

-against-

I.C. SYSTEM, INC.,

Defendant.
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Case No.: 12- CV-0181

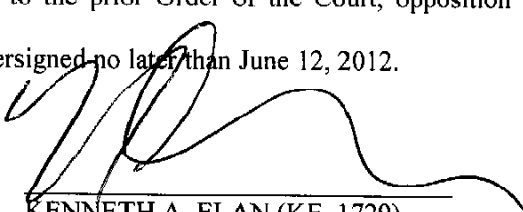
NOTICE OF MOTION

SIRS:

PLEASE TAKE NOTICE that, upon the accompanying Affidavit of Ryan Bacon sworn to the 3rd day of May 2012, the Affirmation of Kenneth A. Elan, Esq., dated May 14, 2012, defendant's Rule 56.1 Statement, the Memorandum of Law and all of the prior pleadings and proceedings heretofore had herein, defendant I.C. System, Inc. shall move this Court before the Hon. Edgardo Ramos, U.S. District Court Judge, 300 Quarropas Street, White Plains, NY 10601-4150 on May 15, 2012 for an Order pursuant to Rules 12(b)(6) and 56 of the Federal Rules of Civil Procedure dismissing the Complaint and/or granting defendant summary judgment.

PLEASE TAKE FURTHER NOTICE that, pursuant to the prior Order of the Court, opposition papers, if any, are required to be filed and served upon the undersigned no later than June 12, 2012.

Dated: New York, New York
May 15, 2012


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